

# ALSTON & BIRD

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Matt Wickersham

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## VIA FOIA ONLINE

September 29, 2020

Office of Criminal Investigation  
U.S. EPA, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

Re: Request for Documents Under the Freedom of Information Act, 5 U.S.C. § 552

Dear Sir or Madam:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, the undersigned respectfully requests the prompt release of the information specified below related to the Hunters Point Naval Shipyard ("HPNS") located in San Francisco, California.

1. Any and all communications related to the plea agreement entered between the United States and Stephen C. Rolfe on or about March 2017.
2. Any and all communications related to the plea agreement entered between the United States and Justin E. Hubbard on or about May 2017.
3. Any and all communications exchanged between the EPA and the U.S. Nuclear Regulatory Commission related to the performance of Work at HPNS. **"Work"** as used herein refers to performing, implementing, directing, organizing, managing, and/or supervising any tasks, activities, or projects for the assessment, investigation or remediation of radiological materials at the HPNS, including but not limited to preliminary, interim or final assessments, record reviews, field inspections, site inspections, remedial investigations, feasibility studies, creation of proposed plans and/or records of decision, risk management reviews, investigations, historical assessments, revised studies, sampling, tests, analysis, evaluation, planning, remediation, removals, and/or preparation of draft and final reports of any kind.

Records Claimed as Exempt: Should the EPA respond by invoking a FOIA exemption with respect to any of the records requested herein, please include in your response: (1) basic factual material about the withheld item, including author/originator, date created/revised, length, general subject matter, and location; and (2) explanation(s)

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and justification(s) for withholding of the record, including identification of the claimed exemption and a full explanation of the applicability of the claimed exemption to the requested record. Where only a portion of a record is exempt from disclosure, please redact the exempt portion, provide the information requested above regarding the exempt material, and provide the remainder of the record. If you deny any part of this request, please cite each specific reason that you think justifies your refusal to release the information. Please notify the undersigned of appeal procedures available under the law.

Record Delivery: We would appreciate receiving the above information as soon as possible, but no later than 20 working days from the receipt of this request as required by the statute. 5 U.S.C. § 552(a)(6)(A). If the agency determines that it cannot satisfy this FOIA request within the required 20 working days, please set forth in detail what “unusual circumstances” exist for the delay, and please specify the earliest practicable date for responding to this FOIA request. 5 U.S.C. § 552(a)(6)(B). We ask that you please produce the requested documents as soon as practicable and, if necessary, in a piecemeal fashion. The contact information for this request is, as follows:

Matt Wickersham  
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matt.wickersham@alston.com

We look forward to your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Matt Wickersham". The signature is fluid and cursive, with the first name "Matt" being more prominent than the last name "Wickersham".

Matt Wickersham